IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929

OP.No. 24540 of 2001(U)

PETITIONER:

A. VALSALA, WIDOW OF A. KRISHNANKUTTY,
RESIDING AT PARACKAL PARAMBA HOUSE,
P.O. PERUVEMBA, PALAKKAD.

BY ADV. SRI.V.CHITAMBARESH
SRI.KRISHNA PRASAD. S

RESPONDENTS:

---

1. THE ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETIES, PALAKKAD.

2. THE PERUVEMBA SERVICE CO-OPERATIVE
BANK LIMITED, NO.F-1648, REPRESENTED BY
ITS SECRETARY, PERUVEMBA P.O., PALAKKAD 678 531.

BY ADV. SRI.M.P.ASHOK KUMAR

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD
ON 22/10/2007, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

ORDER ON C.M.P. 40140 OF 2001 IN O.P. 24540 OF 2001.

DISMISSED.

22.10.2007. SD/- K.M. JOSEPH, JUDGE.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : TRUE COPY OF THE APPLICATION IN THE REQUIRED PROFORMA SUBMITTED BY THE PETITIONER DATED 13.12.2000.

EXT. P2 : TRUE COPY OF THE REPLY RECEIVED FROM THE SECOND RESPONDENT DATED 12.1.2001.

EXT. P3 : TRUE COPY OF THE AGE CERTIFICATE DATED 18.1.2001.

EXT. P4 : TRUE COPY OF THE RELATIONSHIP CERTIFICATE DATED 16.1.2001.

EXT. P5 : TRUE COPY OF THE INCOME CERTIFICATE DATED 16.1.2001.

EXT. P6 : TRUE COPY OF THE LETTER ISSUED BY THE SECOND RESPONDENT DATED 1.2.2001.

EXT. P7 : TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO THE SECOND RESPONDENT WITH A COPY MARKED TO THE FIRST RESPONDENT DATED 17.7.2001.

K.M.JOSEPH, J.

- -

O. P. No. 24540 of 2007

- -

Dated this the 22nd day of October, 2007

JUDGMENT

Heard counsel for the petitioner, learned Government Pleader and counsel for the second respondent.

2. The prayers in the Original Petition are to direct the respondents to consider the petitioner for employment assistance under the dying-in-harness scheme in terms of Rule 188A of the Kerala Co-operative Societies Rules, to consider Ext.P7 representation and to direct the first respondent to look into the allegations regarding the disbursement of retiral benefits and set the criminal law in motion. The further prayer is to disburse the entire retiral benefits of the husband of the petitioner with 12% interest.

3. Apparently petitioner claims to be the widow of one Sri.A.Krishnankutty, who was an employee in the respondent Society. She claims the benefit of assistance under Rule 188A. Petitioner submitted Ext.P1 application. She was asked to produce relationship certificate, to which the petitioner submitted Ext.P2 reply. According to her she had also produced income certificate. Exts.P3, P4 and P5 are stated to be the copies of age certificate, relationship certificate and

income certificate. According to her there was sudden volte facie in the conduct of the Bank due to political turmoil and Ext.P6 was issued. According to her she is entitled to get substantial sum as retiral benefits, but a sum of Rs.1,29,032/- was appropriated towards the loan allegedly due from the members, whose names are given. Petitioner has submitted Ext.P7 to the Bank with copy to the first respondent.

The Original Petition is disposed of with a direction to the first respondent to consider and take a decision on Ext.P7 in accordance with law and communicate its decision to the petitioner within six weeks from the date of receipt of a copy of this judgment, unless a decision has already been taken in the matter. If a decision has already been taken on the petition, it shall be communicated to the petitioner within a period of one month from the date of receipt of a copy of this judgment and the petitioner is free to challenge the same in the appropriate forum, if so advised, if the decision communicated is adverse to the petitioner.

(K.M. JOSEPH, JUDGE)

sb

K.M.JOSEPH, J.

O.P. No.24540 OF 2001

JUDGMENT

22.10.2007.